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09/769,501	01/26/2001	Carlos Arteaga	40922M0021	6129

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EXAMINER

OSMAN, RAMY M

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 05/19/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/760,501

Applicant(s)

UDWIN ET AL.

Examiner

Ramy M Osman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 13-20 and 22 is/are rejected.
- 7) ☒ Claim(s) 6, 12 and 21 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

***Claim Rejections - 35 USC § 103***

***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it exceeds 150 words. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5,7-11,13-20 and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Domenikos et al (US Patent No 6,065,043) in view of Nahi et al. (US Patent No 6,052,120).

5. In reference to claim 1, Domenikos teaches a system operative over a communications network, said system comprising:

a server computer including a communication control device for sending and receiving messages over the network and an operating system, said server having access to a data base capable of storing dedicated applications dedicated to said system and executable by said operating system (Abstract and column 8, Domenikos discloses a server with a communication device, server has access to storage that has stored applications); and

at least one client device including display means, an external communication device for sending to and receiving messages from said server computer over said network, and dedicated client means for controlling said display means and said external communication device, said dedicated client means interpreting messages received from said server computer and generating messages recognizable by said server, said messages sent between said server computer and said client device conforming to a control-oriented protocol that restricts message communication to only messages describing certain preselected events (Abstract, column 8 and column 9 line 34 – column 10 line 67, Domenikos discloses a client with a telecommunications element for interpreting messages from server and sending messages to server, where communication messages are preselected events).

Domenikos fails to teach wherein the client is a thin client. However, Nahi teaches thin-clients accessing applications from a host (Abstract and columns 6 & 7).

It would have been obvious for of ordinary skill in the art to modify Domenikos by making the client in the client access system a thin-client as per the teachings of Nahi so that all available types of client communication devices can access applications remotely.

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6. In reference to claims 2 and 3, Domenikos teaches a thin-client system as claimed in claim 1, wherein said preselected events include user control events caused by user action at said client device, each of said user control events being recognizable by a dedicated application running on said server as indicative of a certain control of said running application that is associated with said one of said preselected events and that is operable by a user at said client device to control said running application (column 4 line 45 – column 5 line 67, column 12 lines 5-50 and column 13 line 45 – column 14 line 67),

and wherein a message from said client device to said server includes data representative of said one preselected event and excludes data representative of other user action performed in operation of said associated application control but not representative of said one event (column 9, column 13 line 45 – column 14 line 67 and column 21).

7. In reference to claims 4 and 5, Domenikos fails to explicitly teach a thin-client system as claimed in claim 3, wherein said control oriented protocol is overlaid on a standard wireless communication protocol; and also comprising plural communication networks, plural server computers and plural client devices. However, Nahi teaches a thin client system operating in a wireless environment and also where there can be plural networks, hosts and clients (columns 6 & 7).

It would have been obvious for of ordinary skill in the art to modify Domenikos by making the client operate in a wireless environment as per the teachings of Nahi so that all available types of client communication devices, including wireless devices, can access applications remotely.

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8. Claims 7,8,10 and 11 do not define any new limitations above claims 1-6 and are therefore rejected for the above mentioned reasons.

9. In reference to claim 9, Domenikos teaches a method as claimed in claim 8, further comprising the steps of, at said application, determining whether said application control recognized in said interpreting step necessitates a change in a user interface created by said application, and in a case where said application control necessitates a change in said user interface, generating a message descriptive of a change user interface event recognizable by said client device as indicative of an updated user interface and creating said updated user interface at said application; and transmitting said change user interface message to said client device whereupon said client device interprets said transmitted change user interface message to recognize how a corresponding user interface presented at said client device should be changed to correspond to said update user interface created at said application (column 8 line 20 – column 9 line 67, column 14 and column 20 line 55 – column 21 line 55).

10. In reference to claim 13, Domenikos teaches the method as claimed in claim 10 above, including wherein:

at said client device, generating and transmitting an open session message over said network to initiate communication with a server, said open session message including a user name, a user password and data descriptive of parameters of said client device; at said server, upon receipt of said open session message, verifying said user name and password, and comparing said descriptive data representative of said client device parameters with current versions of software available for said client device to determine whether said current software versions should be downloaded to said client device, and thereafter identifying said client device

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software to be downloaded in a case where it is determined that said current software should be downloaded; and at said server, generating and transmitting an application list message to said client device, said application list message including session setting data for regulating operation of said client device during a session (column 5 lines 20-67, column 8 line 20 – column 9 line 67 and column 12 line 35 – column 13 line 50).

11. In reference to claim 14, Domenikos teaches a method as claimed in claim 13, further comprising the steps of at said client device, receiving and interpreting said application list message in order to create a user interface allowing a user to select an application for execution on said server:

at said client device, generating a run application message descriptive of an application chosen event recognizable by said server as indicative of a user control operated to select said application for execution, and transmitting said run application message over said network to said server; at said server, receiving and interpreting said run application message, starting execution of the application selected, and providing said application with client device parameter data received from said client device in said open session message; at said application, generating an initial form message and transmitting said initial form message to said client device; and at said client device, receiving and interpreting said initial form message, and creating a user interface including application controls in response to receipt of said initial form message (columns 4& 9 and column 21 line 20 – column 22 line 55).

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12. In reference to claim 15, Dominikos teaches a method as claimed in claim 14, further comprising the steps of:

at said client device, generating a close application request message requesting closing of an application executing on said server and transmitting said request message to said server; at said server, determining the presence or absence of conditions interrupting or canceling closure of said executing application, and closing said executing application in the absence of such conditions; and at said server, generating an application closed message and transmitting said application closed message to said client device (columns 4& 9 and column 21 line 20 – column 22 line 55).

13. Claims 16-20 and 22 do not define any new limitations above claims 1-5 & 7-15 and are therefore rejected for the above mentioned reasons.

***Allowable Subject Matter***

14. Claims 6,12 and 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following limitations if included in the independent claims would indicate allowable subject matter:



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“wherein said control oriented protocol restricts message communication in windowing environments such that

for edit boxes, loss of focus constitutes a significant event, whereby messages representing edit boxes will be transmitted only when such edit boxes have been made to lose focus;

for list boxes, selection from such a list box constitutes a significant event, whereby messages representing list boxes will be transmitted only when a selection from such a list box has been made and messages indicative of scrolling will not be transmitted;

for combo boxes, selection of a new value constitutes a significant event, whereby messages representing combo boxes will be transmitted only when a new value has been selected;

for scroll bars, arrival at a new scroll bar position after scrolling has stopped constitutes a significant event, whereby messages representing scroll bar movement will be transmitted only after scrolling has stopped at a new scroll bar position; and

for mouse button clicks, a button click on such a mouse constitutes a significant event, whereby only mouse button clicks will be transmitted and messages indicative of mere mouse movements alone will not be transmitted.”

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramy M Osman whose telephone number is (703) 305-8050.

The examiner can normally be reached on Monday through Friday 9AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 305-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

RMO

May 14, 2004

  
ARIO ETIENNE  
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